

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, November 15, 2010***

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Those Present: Mr. James E. McClellan, Chairman  
Mr. Robert C. Snyder, Board Member  
Mr. Charles R. Cline, Board Member  
Mrs. Linda B. Thall, Sr. Assistant County Attorney  
Ms. Kathy L. Vahle, Administrator  
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector  
Mrs. Sandra Rees, Administrative Specialist IV  
Mrs. Ashley Sklarew, Administrative Specialist IV

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Musket Ridge** – Ms. Vahle stated that there was a request for a blanket permission to offer open bars for weddings and banquets. Mrs. Thall stated that under the Board's regulations they have to request written permission for a special occasion at least two weeks prior to the event, but the Regulations do not expressly state that there has to be a separate request for each event. She stated that the establishment could submit a list for the season. The Regulations allow ads to state "Open Bar" but not "All You Can Drink". Ms. Vahle stated that the approval letter should state that they are responsible for cutting people off who have too much to drink. The Board agreed to the request provided that advance notice of events is provided.
2. **Libertytown BBQ** – This establishment submitted a request to be closed Monday, Tuesday and Wednesday and open on the weekends. The Regulations state they must be open five days a week. The Board did not approve this request.
3. Decision Required: Transfer

**TRANSFER FROM:**

RE: Ryan Gordon, George P. Klisas  
and Peter O. Klisas for the use  
of L&G, Inc., t/a Callahan's  
1808 Rosemont Ave.  
Frederick, MD 21701

**Class B, On Sale, Beer, Wine and Liquor**

**TRANSFER TO:**

RE: Ryan R. Gordon for the use of  
L&G Maryland Inc.  
t/a Callahan's Restaurant  
1808 Rosemont Ave.  
Frederick, MD 21701

**Class B, On Sale, Beer, Wine & Liquor**

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). Ryan Gordon was on the license before. The Liquor Inspector stated they are compliant.

**MOTION ONE:** Mr. Cline made a motion for approval.

**SECOND:** Mr. Snyder seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline – Aye  
Mr. Snyder – Aye  
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

4. Decision Required: New

RE: Robert Sheahin & Patrice  
Sabatano  
for the use of Private Reserve  
of Frederick, LLC  
t/a Frederick Wine Haus  
5620 B Buckeystown Pike  
Frederick, Maryland 21704  
Class A, Off Sale, Beer & Light Wine  
Sunday Permit & Beer and Wine  
Tasting

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the final lease, Worker's Comp., Retail Sales Tax license, Manager

info., Zoning, Occupancy Permit, Fire Marshal and the Inspector's Report. The applicant stated that there was a lot to be done and that the building has been vacant for five years. The Inspector stated that they are not ready. The applicant requested 18 months as a conditional approval. Gary Zorechak was also sworn in by Kathy Vahle. He owns Frederick Wine House and asked the applicants if they could change the name of their establishment due to confusion. The applicants said they would change their name to prevent confusion.

**MOTION ONE:** Mr. Snyder made a motion for a conditional approval until December 1, 2011.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Snyder – Aye  
Mr. Cline – Aye  
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

5. Decision Required: Transfer/Upgrade

**TRANSFER/UPGRADE FROM:**

RE: Joseph E. Liberto for the use  
of Kemptown Grocery LLC  
t/a Kemptown Grocery LLC  
12516 Fingerboard Rd.  
Monrovia, MD 21770  
Class A, Off Sale, Beer Only, SU

**TRANSFER TO:**

RE: Joseph E. Liberto for the use  
of Kemptown Grocery LLC  
t/a Kemptown Grocery LLC  
12516 Fingerboard Rd.  
Monrovia, MD 21770  
Class A, Off Sale, Beer and Light  
Wine, Sunday permit, Beer & Wine  
Tasting

The Board held a hearing for a transfer/upgrade of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The Inspector stated that they are compliant.

**MOTION ONE:** Mr. Cline made a motion for approval.

**SECOND:** Mr. Snyder seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline – Aye  
Mr. Snyder – Aye  
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

6. Decision Required: Violation

RE: Dalene Covert  
for the use of Drake  
Enterprises, Inc.  
t/a Dale's Place  
12841 Catoctin Furnace Road  
Thurmont, Maryland 21788  
Class B, On Sale, Beer, Wine &  
Liquor  
License Number 11BL 1027  
FCLB Case Number: 4634

The Board held a violation hearing for violation of Section 12-108(c)(2) of Article 2B and Section 6.14 of the Board's Regulations by furnishing alcoholic beverages to someone visibly under the influence of alcoholic beverages. Mrs. Thall swore in the witnesses. (See attached Sign In Sheet). The licensee pled Not Guilty. Mrs. Hahn testified about her consumption of alcohol and other events occurring at Dale's Place on June 18-29, 2010. Rachel Hubbard, Mrs. Hahn's mother, also testified about their alcohol consumption that evening. Michael LeComte, a retired Sergeant with the Maryland State Police who is employed with Frederick Memorial Hospital as a registered nurse, testified about Mrs. Hahn's blood alcohol level. Inspector DeLauter stated that when he met with Mrs. Hahn she stated that she had consumed 8 to 10 beers and approximately 12 shots and spent about \$300 that evening.

Findings of Fact: 1. During the evening of June 18, 2010 and into the morning hours of June 19, 2010 did the licensee directly or through an employee sell or furnish alcoholic beverages to Mrs. Hahn? Yes 2. Was Mrs. Hahn visibly under the influence of alcohol when the alcoholic beverages were furnished? Yes 3. Did this conduct violate Section 12-108(c)(2) of Article 2B of the Maryland Annotated code and Section 6.14 of the Board's Regulations ? Yes

**MOTION ONE:** Mr. Snyder made a motion for a fine of \$1,000 and a 15 day suspension. The fine must be paid by February 15, 2011. The fine will double if not paid by that date.

**SECOND:** Mr. Cline seconded the motion.

**VOTE:** Mr. Snyder – Aye  
Mr. Cline – Aye  
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

6. Decision Required: Approval of the Public Meeting Minutes for October 25, 2010.

The Public Meeting Minutes of October 25, 2010 were approved.

**MOTION:** Mr. Snyder made a motion to approve the minutes for October 25, 2010.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Snyder – Aye  
Mr. Cline-Aye  
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

***ADJOURN***

The meeting was adjourned at 10:20 am.

Respectfully submitted,

Kathy Vahle, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees